

AO 91 (Rev 11/11) Criminal Complaint

Sealed
Public and unofficial staff access
to this instrument are
prohibited by court order

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

May 01, 2020

David J. Bradley, Clerk of Court

United States of America

v.

Nathaniel Klarer

Case No. **4:20mj0772**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 1, 2020 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 USC 924(a)(1)(A)

Offense Description

Providing a False Statement when Purchasing a Firearm

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

ATF Special Agent Quo Carothers

Printed name and title

Sworn by telephone.

Date: 05/01/2020


Judge's signature

City and state: Houston, TX

Nancy Johnson, Magistrate Judge

Printed name and title

AFFIDAVIT OF SPECIAL AGENT QUO CAROTHERS IN SUPPORT OF CRIMINAL
COMPLAINT

The Affiant being duly sworn does depose and state the following:

1. I, Quo Carothers , am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since September 2001. I am a graduate of the Federal Law Enforcement Training Center, Criminal Investigator Training Program (CITP) and the ATF Special Agent Basic Training (SABT) at Glynco, Georgia. During my law enforcement career, I have investigated criminal matters relating to commercial robberies effecting interstate commerce, violent offenders and fugitives, drug trafficking, FFL burglaries and firearms trafficking. Through these investigations as well as my previous training.

2. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

3. Based on my training, experience and conversations with other ATF Special Agents, I know the majority of firearms ATF agents in the Houston Field Division come into contact with

through their investigations are not manufactured in the state of Texas.

4. Persons unlawfully possessing and/or selling ammunition or firearms tend to maintain documents reflecting the acquisition and disposition of such items in the form of receipts, publications, firearm and ammunition ledgers, catalogs and other documents reflecting the unlawful sale and possession of firearms and ammunition.

5. Persons unlawfully possessing and/or selling ammunition and firearms tend to utilize computer systems such as mobile phones to interact with customers, potential customers and sources of firearms and/or ammunition by way of phone calls, text messages, emails and social media websites and applications.

6. Persons who remove, obliterate or alter the importer's or manufacturer's serial number from firearms do so by utilizing common household tools (i.e. drills, drill bits, files, grinders, chisels).

7. Based on the facts as set forth in this affidavit, your affiant believes there is probable cause that in the above described premises, there exists evidence, contraband, and/or

property designed for use, intended for use, or used in the commission of violations of Title 18 United States Code, Sections 924 (a) (1) (A) by Nathaniel KLARER.

PROBABLE CAUSE

1. On Thursday, February 13, 2020, your Affiant interviewed Nathaniel KLARER at his current residence of 2400 Yorktown Street, Apt. 200, Houston, Texas 77056 which is in the Southern District of Texas. KLARER advised that he has resided at the aforementioned address since April of 2019. SA Carothers observed that on each of the ATF Form 4473 Firearms Transaction Records and/or Multiple Record that KLARER has filled out in order to purchase a firearm he has listed his address as 9449 Briar Forest Drive, Apt. 1301, Houston, Texas 77063. Your Affiant has further observed that each of these forms was filled out after the period of time in which the Defendant stated that he lived at his current address on Yorktown Street.

2. SA Carothers asked KLARER about his most recent purchase of 97 firearms between the dates of February 1st and February 12th, 2020. KLARER confirmed the purchase of these firearms during the time period stated. Each of these

firearms is documented as purchased from Zeroed In Armory LLC, 2318 Roy Road, Pearland, Texas 77581 which KLARER also confirmed as the location of purchase. The ATF Form 4473 Firearms Transaction Records for these specific purchases was observed by SA Carothers and the address listed is 9449 Briar Forest Drive, Apt. 1301, Houston, Texas 77063.

3. Your Affiant spoke to SA George Taylor who stated he went to the address of 9449 Briar Forest Drive and spoke to the management of the apartment complex there. They confirmed that KLARER did not live at the address during the period of February of 2020.

4. KLARER advised that he made the purchases to increase his inventory in preparation to sell and/or trade at the gun show in Fort Worth this weekend and the March gun show in San Antonio, Texas. SA Carothers advised KLARER that what he was doing was violating Federal Gun laws.

5. KLARER advised that he would like to apply for a license to sell but he researched on ATFs website and the website stated that he needed a storefront location first. SA Carothers advised KLARER that his statement of incorrect. ATF does issue licenses to residential locations. KLARER advised

that he would like to start the process to obtain a firearms dealer and manufacturers license.

6. Your affiant advised KLARER of the firearms trafficking violations and the responsibilities of a Federal Firearms Dealer. KLARER advised that if he was a licensed dealer he would not contact police if he suspected the person was trafficking. KLARER stated that as long as the purchase was "legal" he was going to sell the firearms.


7. SA Carothers asked KLARER to view his current inventory and KLARER advised that he would be happy to show agents his inventory but he was busy today. KLARER agree to show agents his inventory on Tuesday, February 18, 2020 at 11 am. KLARER stated that his firearms are stored in a storage unit not far from his residence.

8. Your affiant observed multiple handgun boxes on the floor and in a box next to the front door upon arrival and departure from the residence.

9. On Sunday, February 16, 2020, SA Carothers received information from the ATF Mexico City, Mexico office advising the six (6) Barrett Firearms, Model 82A1, 50 caliber rifles purchased by KLARER were recovered last week in a big seizure

with a high level Cartel leader. The recovered firearm were purchased between August to December of 2019. From August 2019 to Present KLARER purchased over 300 firearms using the 9449 Briar Forest Drive, Apt. 1301, Houston, Texas address.

10. On Monday, February 18, 2020, Special Agents Carothers made contact with KLARER via cell phone and advised that agents were enroute to his address and KLARER advised that he was not available to meet with agents as previously arranged.



Quo Carothers
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to telephonically on this the 1st Day of May, 2020 and I find probable cause.



Nancy Johnson
United States Magistrate Judge